

Amendments to the Drawings:

The Applicant has amended Figure 5 as requested by the examiner.

A Replacement sheet is attached as well as a marked up copy for the examiners convenience.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

The Applicant notes with appreciation the acknowledgement of Claims 17, 32-37 and 45-58 as having allowable subject matter.

Claim Objections

The Applicant has amended Claim 2 rendering the Objection moot. The Applicant submits that the hub, as recited in Claim 1 corresponds to the hub as recited in Claim 16 and thus no correction is needed.

Anticipation Rejection

The Office incorrectly rejected Claims 1, 8, 25, 26, 38 and 39 are being anticipated by Allen.

Claim 1 recites (and similarly in Claims 25 and 38) *inter alia*:

“A point to multipoint communication system for providing broadband wireless communication between a first computer network and one or more other computer networks.”

Allen discloses an intra computer network system. Equipment 111 through 115 make up a computer network system and do not comprise a computer network themselves. The Office's assertion that each of the “data equipment 111-115”, specifically computer 113 is a computer network is not supported by the disclosure of Allen.

Therefore, Allen cannot anticipate Claims 1, 25 and 38. Likewise as Claims 8, 26 and 39 depend from Claims 1, 25 and 38 respectively; they also cannot be anticipated by Allen, irrespective of the additional patentable features recited therein.

Obviousness Rejections

The Office Action improperly rejected Claims 2, 3, 10, 11, 16, 18-20, 23, 27-30, 40-43, and 61 as being unpatentable over Allen.

Regarding Claim 2, The Office's rejection has no factual basis, no teaching and lacks sufficient motivation.

The rejection suffers the same deficiencies explained in regards to Claim 1 above. Additionally, the Office has provided no teaching for superimposing a second hub and a second plurality of nodes over the first communication system. How would providing a second communication system similar to the first cover a wider service area as the examiner suggests, why would one skilled in the art be directed to duplicating a system, instead of expanding the system.

The rejection fails to make a prima facie case of obviousness.

Regarding Claims 3, 10, 11, 16, 18-20, 23, 27-30, 40-43 and 61 the deficiencies of Claims 1, 25, and 38, from which the claims respectively depend are not obviated by the rejection. The Office fails to make a prima facie case of obviousness as it fails to provide a computer network connected to the hub.

Furthermore, regarding Claims 10, 11, 28, 29, 41, and 42, the Offices states that while Allen does not disclose the primary and redundant communication link interfaces being operatively connected to a first and second communication processor, respectively. It would be obvious to have a connection to a communication processor in order to effectively transmit data from its source to its destination. The Office here is confusing,

inherency with obviousness, it is either inherent in Allen or a teaching must be provided to make an obviousness rejection, and regarding Claim 11 a teaching must be provided that shows connection the primary and redundant communication link interfaces to two separate communication processors.

Regarding Claims 18-20, the Office acknowledges that Allen fails to teach the processors as modems capable of having multiple ports and capable of transmitting and receiving data at multiple levels of information density. However, as noted above Allen does not disclose a connection to a computer network, a modem would not be needed or envisioned.

Regarding Claim 23 and 61, the Office suggest that the “computer network illustrated in figure 1, suggests a router (111)”. The Applicant strongly disagrees.

Regarding Claims 27-30 and 41, The Office fails to make a prima facie case of obviousness as it fails to provide a computer network connected to the hub. Additionally, Claim 27 and 41 recite connection of each of the plurality of primary link interfaces to a unique one of a plurality of communication processors. As admitted by the Office, Allen does not disclose a communication processor much less provide a unique communication processor for each of the interfaces. Furthermore, where is a motivation to change Allen since purportedly it already effectively transmits data from its source to its destination?

Regarding Claim 30 and 43, the Offices motivation for modifying Allen to have more primary interfaces than redundant interfaces is simply without merit, having more primary interfaces than redundant interfaces would more likely lead to the redundant link interface being forced to handle traffic inconsistent with its bandwidth capacity.

The Office Action improperly rejected Claims 4-7, 22 and 60 as being obvious over Allen and Standwood.

Standwood does not obviate the deficiencies of Allen with regard to Claims 1, and 38. There is also no motivation or teaching to modify Allen with Standwood as suggested by the Office.

The Office improperly rejected Claim 9 as being obvious over Allen in view of Clinker. Clinker does nothing to obviate the deficiencies of Claim 1 from which Claim 9 depends.

The Office improperly rejected Claims 12-15, 31 and 44 as being unpatentable over Allen in view of Kay. Kay does nothing to obviate the deficiencies of Allen with respect to Claims 1, 25 and 38 from which claims 12-15, 31 and 44 depend. Therefore, the claims are patentable over Allen and Kay irrespective of the additional patentable matter recited therein.

The Office improperly rejected Claims 21, 24, 59 and 62 as being unpatentable over Allen, in view of Feder. Feder does nothing to obviate the deficiencies of Allen with respect to Claims 1 and 38 from which claims 21, 24, 59 and 62 depend. Therefore, the claims are patentable over Allen and Feder irrespective of the additional patentable matter recited therein.

CONCLUSION

Allen does not show, teach or suggest a computer network connected to a hub and therefore, all the rejections based on Allen are improper and should be removed.

Although an extension of time is not deemed necessary at this time, the Office is hereby authorized to charge any appropriate extension fee to Deposit Account No. 04-1679, Duane Morris LLP.

Respectfully submitted,



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